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ON 10-27-99 cm

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CERTIFIED TRUE COPY

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STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF DENTISTRY

IN THE MATTER OF THE SUSPENSION  
OR REVOCATION OF THE LICENSE OF

JAMES D. MUGLIA, D.D.S.  
License No. DI 9630

TO PRACTICE DENTISTRY  
IN THE STATE OF NEW JERSEY

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Administrative Action

CONSENT ORDER

This matter was opened to the New Jersey State Board of Dentistry (hereinafter "the Board") upon receipt of information that James D. Muglia, D.D.S. ("respondent") failed to conform to standard dental practice in the State of New Jersey. Specifically, it has been alleged that respondent poorly constructed two crowns and poorly designed a three-unit bridge on patient L.B. On April 16, 1997, respondent appeared without counsel at an investigative inquiry into the matter held by the Board.

Having reviewed the entire record, including the testimony of respondent at the investigative inquiry, it appears to the Board that the crowns inserted on teeth #13 and #14 were poorly constructed and failed soon after placement, and the bridge designed for teeth

#4, 5 and 6 was poorly designed and did not meet acceptable standards, in violation of N.J.S.A. 45:1-21(d). In addition, respondent kept poor records, including his failure to use periodontal charting, and billing for procedures not recorded, in violation of N.J.A.C. 13:30-8.7.

These facts establish basis for disciplinary action pursuant to N.J.S.A. 45:1-21(d) and (h). It appearing that respondent desires to resolve this matter without admissions and without recourse to formal proceedings, and for good cause shown:

IT IS ON THIS *20<sup>th</sup>* DAY OF *October*, 1999

HEREBY ORDERED AND AGREED THAT:

1. Respondent shall successfully complete and pass fourteen (14) hours of continuing education in basic crown and bridge. These courses shall be completed within thirty days of the entry of the within Consent Order. Respondent shall secure prior approval of the Board for the specific courses proposed to satisfy this requirement. These courses are in addition to the regularly required continuing education hours. Respondent shall be required to complete the attached continuing education Proof of Attendance Report as proof of successful completion and passing of the required course work. The attached forms are made a part of the within Consent Order, and a separate form is to be used for each course.

2. Respondent shall reimburse L.B. in the amount of \$2,942 (\$615 for tooth #13; \$615 for tooth #14; \$685 for tooth #4; \$685 for tooth #5; and \$342 for tooth #6). A certified check or money order, made payable to L.B., shall be sent to Agnes M. Clarke, Executive Director, Board of Dentistry, P.O. Box 45005, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07101, contemporaneously with the signing of this Consent Order. Respondent

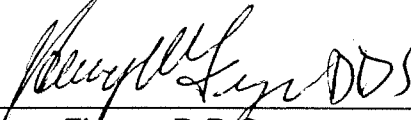
shall also waive the remaining balance on L.B.'s account, which, as of April 16, 1997, was \$274.34. If L.B. has paid any amounts on that account since that date, respondent shall add those amounts to the total restitution figure of \$2,942 set forth above.

3. Respondent is hereby assessed civil penalties, pursuant to N.J.S.A. 45:1-22, in the amount of \$500 for poor record keeping. Payment for the civil penalties totaling \$500 shall be made by certified check or money order made payable to the State of New Jersey and shall be sent to Agnes M. Clarke, Executive Director, at the address described in paragraph #2, and submitted contemporaneously with the signing of this Consent Order. Subsequent violations will subject respondent to enhanced penalties pursuant to N.J.S.A. 45:1-25.

4. Respondent is hereby assessed the costs to the State of the investigation in this matter in the amount of \$225.84. Payment for the costs shall be submitted by certified check or money order made payable to the State of New Jersey and submitted to the Board contemporaneously with the signing of this Consent Order. Payment shall be sent to Agnes M. Clarke, Executive Director, at the address described in paragraph #2.

5. Failure to comply with any provisions of this Order or remit any and all payments required by this Order will result in the filing of a certificate of debt and may result in subsequent disciplinary proceedings for failure to comply with an Order of the Board.

NEW JERSEY STATE BOARD OF DENTISTRY

By:   
Henry Finger, D.D.S.  
Board President

I have read and understand the within Consent Order and agree to be bound by its terms. Consent is hereby given to the Board to enter this Order.

  
James D. Muglia, D.D.S.